

## REMARKS

### Summary

Reconsideration of the application is respectfully requested.

Claims 1, 6, 12, and 19 have been amended. No new matter has been introduced.

Claims 27, 30, and 33 have been withdrawn.

Accordingly, Claims 1-26, 28, 29, 31, and 33 remain pending.

Applicants appreciatively acknowledge the Examiner's consideration and acceptance of the drawings filed on December 17, 2003.

### Restrictions

Applicants confirm election of Claim Set I. (Claims 1-26, 28, 29, 31, and 33) for prosecution on the merits and Claims 27, 30, and 33 are hereby withdrawn. Further, Applicants preserve the right to traverse the restriction at a later time and pursue the non-elected Claims 27, 30, and 33 in a divisional application.

### Claim Rejections under 35 U.S.C. § 102

Claims 1-6, 10-16, 18-22, 25, 26, 28, 29, 31, and 32 stand rejected under 35 U.S.C. § 102(b) for being as being unpatentable in view of U.S. Patent No. 6,196,899 to Chopra et al. ("Chopra"). In response, Claims 1, 12, and 19 have been amended.

Amended Claim 1 recites a necessary feature of "the control arm configured to **linearly translate** the at least one cylindrical polishing pad along a length of the control arm". Chopra fails to teach or suggest such a feature. However, Chopra merely discloses that different numbers of roller segments may be used to condition a web shaped pad and that the roller segments may move at different speeds. (See at least col. 7, line 27 to col. 8, line 29 and Figure 12). Thus, Chopra fails to teach or suggest a necessary feature of Claim 1 and so does not anticipate Claim 1. Therefore, Claim 1 is patentable over Lin under 35 USC § 102(b).

Independent Claims 12 and 19 each have substantially the same limitation as described for Claim 1. Thus, for at least the above stated reasons, Claims 12 and 19 are patentable over Chopra under 35 USC § 102(b).

Claims 2-6, 10, 11, 13-16, 18, 20-22, 25, 26, 28, 29, 31, and 32 each depend from independent Claims 1, 12, or 19 incorporating their corresponding limitations. Thus, for at least the above stated reasons, 2-6, 10, 11, 13-16, 18, 20-22, 25, 26, 28, 29, 31, and 32 are patentable over Chopra under 35 USC § 102(b).

### **Claim Rejections under 35 U.S.C. § 103**

Claims 23-24 stands rejected under 35 U.S.C. 103(a) as being unpatentable over Chopra in view of U.S. Patent No. 5,707,274 to Kim et al (“Kim”). As discussed above, Chopra fails to teach or suggest at least one element of Claim 19. Kim fails to remedy the deficiencies of Chopra. Therefore, claim 19 remains patentable over Chopra even when combined with Kim. Claim 23 and 24 depends on Claim 19, incorporating its limitations. Therefore, for at least the same reasons, Claims 23 and 24 are not obvious and are patentable over Chopra and Kim combined.

### **Claim Objections**

Claims 7-9 and 17 stands objected to as being dependent upon a rejected base claim. As discussed above, Claim 7-9 and 17 depends on Claims 1 or 12, incorporating their limitations. Since for reasons set forth earlier, claims 1 and 12 now stand patentable. Therefore, Claims 7-9 and 17 are no longer dependent on rejected claims.

### **Conclusion**

In view of the foregoing, reconsideration and allowance of Claims 1-26, 28, 29, 31, and 33 are solicited. As a result of the amendments made herein, Applicants submit that Claims 1-26, 28, 29, 31, and 33 are in condition for allowance. Accordingly, a Notice of Allowance is respectfully requested. If the Examiner has any questions concerning the present paper or should still find any of the remaining claims to be unpatentable, the

Examiner is kindly requested to contact the undersigned at (206) 407-1504. If any fees are due in connection with filing this paper, the Commissioner is authorized to charge the Deposit Account of Schwabe, Williamson and Wyatt, P.C., No. 50-0393.

Respectfully submitted,  
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by: 

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